

#34339

Agreement

Made this ___ day of May, 1999 by and between GTP Ventures Inc. (the Applicant) and Georgetown Park Condominium Association (the Protestant).

Witnesseth

WHEREAS, pending before the District of Columbia Alcoholic Beverage Control Board (ABC) is applicant's application for a Class CR-Brew Pub license for premises 3222 M Street, N.W., ABC Application No. 34339; and

WHEREAS, Protestant has protested the issuance of this license; and

WHEREAS, the parties desire to enter into an Agreement commemorating certain understandings regarding Applicant's business;

NOW, THEREFORE in consideration of the premises above recited, and the mutual covenants and promises set forth below, the parties agree as follows:

1. Applicant shall operate a bona fide restaurant on its premises.
2. Applicant's garbage will be in self-contained trash containers within the premises of the restaurant other than when being taken directly to the trash dumpster for pick-up. There shall be no trash left unattended in the hallways.
3. During the construction period, work can only be performed during hours established by the local municipality. Those hours are believed to be 7:00 am to 7:00 pm Monday through Saturday.
4. The emergency exit in the kitchen will not be used as an entrance. The door shall remain closed unless there is an emergency. The area directly outside that doorway will always be clean and without trash and litter. Under no circumstances (other than emergency requiring evacuation of the restaurant) shall the Applicant allow any of its employees, workmen and or customers to trespass upon the Protestant's property directly outside the doorway.
5. The Applicant will provide live jazz music on Sundays from 11:00 am to 3:00 pm. Applicant shall also be allowed to provide recorded background music during business hours. In the event Applicant desires live music during other times, it ~~will~~ ^{must} first notify landlord and Protestant ~~and request their permission.~~ ^{and receive permission from the} Further, Protestant will communicate with Applicant in the event of any concerns Protestant may have regarding live music.

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Permission
and receive from the
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6. Applicant will provide Protestant with a name and phone number of a contact person in the event any issues arise during construction. After we open, we will provide you with the name and phone number for our general manager.

Compliance with this agreement will become a condition of applicants license and, with this understanding,
7. ~~In consideration of the aforementioned,~~ the protestant hereby withdraws its protest *59 of* to the applicant's pending license application.

IN WITNESS WHEREOF, the parties have affixed hereunto their hands and seals on the year and day first above written.

APPLICANT: GTP VENTURES INC

By *Daniel T. Feiner*
Daniel T. Feiner
Vice President

PROTESTANT: Georgetown Park Condominium Association

By *Suzanne Goldberg*
Suzanne Goldberg
President

File

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

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In the Matter of :)	
)	
GTP Ventures, Inc.)	
t/a Brew Moon Restaurant &)	
Micro Brewery)	
)	
Application for a Retailer's License)	Case No. 34339-99016P
CR - new application)	
at premises)	
3222 M Street, N.W.)	
Washington, D.C.)	
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Adam Lipton, Esquire, on behalf of Protestant

Suzanne Goldberg, President, on behalf of the Georgetown Park Unit Owners Association, Protestant

Dimitri P. Mallios, Esquire, on behalf of Protestants

**BEFORE: Vannie Taylor III, Esquire, Chair
Vera Abbott, Member
Allen Beach, Member
Max Salas, Member**

ORDER ON WITHDRAWN PROTEST

The application, having been protested, came before the Board for public hearing on May 12, 1999, in accordance with D.C. Code Section 25-115(c)(5)(1999 Supp.), providing for the protestants to be heard. Suzanne Goldberg, President of the Georgetown Park Unit Owners Association, filed a timely protest letter dated April 22, 1999.

The official records of the Board reflect that the parties have now reached an agreement which has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement, the protestant has agreed to withdraw the opposition, provided however, the Board's approval of the pending application is conditioned.

Accordingly, it is this 16th day of June 1999, **ORDERED** that:

GTP Ventures, Inc.
t/a Brew Moon Restaurant & Micro Brewery
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1. The protest of Suzanne Goldberg, President, Georgetown Park Unit Owners Association, be, and the same hereby, is **WITHDRAWN**;
2. The above-referenced agreement between the parties, be, and the same hereby, is **INCORPORATED** as part of this **ORDER**;
3. The application of GTP Ventures, Inc. t/a Brew Moon Restaurant & Micro Brewery, for a retailer's class CR license (new) at premises 3222 M Street, N.W., Washington, D.C., be, and the same hereby, is **GRANTED**; and,
4. Copies of this Order shall be sent to the Protestant, the Attorney for the Protestant, the Attorney for the Applicant, and the Applicant.



Vannie Taylor, III, Esquire, Chair